

Since the present amendment raises no new issues and presents no new matter, entry thereof in accordance with 37 C.F.R. §1.111 prior to the initial examination of the present case on the merits is respectfully requested.

Respectfully submitted,



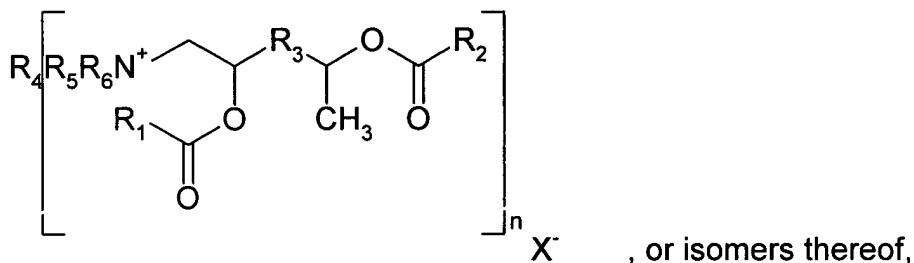
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**"Version with markings to show changes mad ."**

2. Compounds according to claim 1 of the formula



wherein  $R_1$  and  $R_2$  are independently selected from linear or branched, saturated or unsaturated  $C_{6-22}$  hydrocarbyl,

$R_3$  is nothing or  $C_{1-20}$  hydrocarbyl,

$R_4$  is  $C_{1-6}$  alkyl,  $C_{1-6}$  alkylene, or independent Z,

$R_5$  is H,  $C_{1-6}$  alkyl, independent Z, or the residue of the quaternizing agent, such as  $C_{1-30}$  alkyl or alkenyl, preferably,  $C_{1-7}$  alkyl or alkenyl,

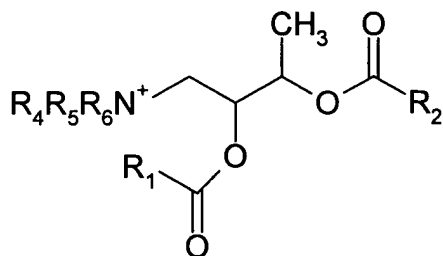
$R_6$  is  $C_{1-6}$  alkyl or independent Z,

n is 1 or 2, and

$X^-$  is an ion selected from  $Cl^-$ ,  $Br^-$ ,  $I^-$ ,  $F^-$ ,  $CH_3SO_4^-$ ,  $C_2H_5SO_4^-$ ,  $H_2PO_4^-$ ,  $HPO_4^{2-}$ ,  $PO_4^{3-}$ ,  $H_2PO_3^-$ ,  $HPO_3^{2-}$ ,  $H_2PO_2^-$ ,  $HPO_2^{2-}$ , nitrate<sup>-</sup>, formate<sup>-</sup>, acetate<sup>-</sup>, propionate<sup>-</sup>, tartrate<sup>-</sup> and benzoate<sup>-</sup>, wherein the total charge of the anions equals the total charge of the cations.

$R_4$ - $R_6$ , n, and  $X^-$  have the meaning given in claim 1.

3. Compounds according to claim 2 of the formula



$\text{X}^-$ , or isomers thereof,

wherein  $\text{R}_1$ ,  $\text{R}_2$ ,  $\text{R}_4\text{-R}_6$  and  $\text{X}^-$  have the meaning given in claim 1 wherein  $\text{R}_1$  and  $\text{R}_2$  are independently selected from linear or branched, saturated or unsaturated  $\text{C}_{6-22}$  hydrocarbyl.

$\text{R}_4$  is  $\text{C}_{1-6}$  alkyl,  $\text{C}_{1-6}$  alkyiene, or independent Z,

$\text{R}_5$  is H,  $\text{C}_{1-6}$  alkyl, independent Z, or the residue of the quaternizing agent, such as  $\text{C}_{1-30}$  alkyl or alkenyl, preferably,  $\text{C}_{1-7}$  alkyl or alkenyl,

$\text{R}_6$  is  $\text{C}_{1-6}$  alkyl or independent Z,

and

$\text{X}^-$  is an ion selected from  $\text{Cl}^-$ ,  $\text{Br}^-$ ,  $\text{I}^-$ ,  $\text{F}^-$ ,  $\text{CH}_3\text{SO}_4^-$ ,  $\text{C}_2\text{H}_5\text{SO}_4^-$ ,  $\text{H}_2\text{PO}_4^-$ ,  $\text{HPO}_4^{2-}$ ,  $\text{PO}_4^{3-}$ ,  $\text{H}_2\text{PO}_3^-$ ,  $\text{HPO}_3^{2-}$ ,  $\text{H}_2\text{PO}_2^-$ ,  $\text{HPO}_2^{2-}$ , nitrate $^-$ , formate $^-$ , acetate $^-$ , propionate $^-$ , tartrate $^-$  and benzoate $^-$ , wherein the total charge of the anions equals the total charge of the cations.

4. Compounds according to ~~any one of claims 1-3~~ wherein  $\text{R}_1$  and  $\text{R}_2$  are independently selected from linear or branched, saturated or unsaturated  $\text{C}_{12-18}$  alkyl groups.

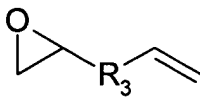
5. Compounds according to ~~any one of the preceding claims 1~~, characterized in that wherein  $\text{R}_4$  and  $\text{R}_6$  are methyl.

6. Compounds according to ~~any one of the preceding claims 1~~ wherein  $\text{X}^-$  is chloride, methyl sulfate or ethyl sulfate.

7. Intermediates for making one or more of the compounds of ~~the preceding claims~~ 1 wherein said intermediate has according to the formula  $R_4[R_6NZ]_n$ , wherein  $R_4$ ,  $R_6$ ,  $n$ , and  $Z$  have the meaning given in claim 1.

8. A fabric softening composition ~~Compositions comprising one or more of the compounds according to any one of the preceding claims 1.~~

9. A process of making ~~to make~~ the compounds of claim 1 which comprises ~~comprising the steps of:~~

- reacting an unsaturated epoxide of the formula  with an amine or protonated amine of the formula  $R_4[R_5R_6N]_n$  or  $R_4[R_5R_6N^+H]_n X^-$ , wherein  $R_3$ ,  $R_4$ ,  $R_5$ ,  $R_6$ ,  $n$ , and  $X^-$  have the meaning given in claim 1, and
- esterification of the intermediate with, on average, 1-2 moles of fatty acid derivatives, comprising the moieties  $R_1-C(O)-$ ,  $R_2-C(O)-$  or mixtures thereof, per mole of OH groups of the intermediate,
- an optional conventional quaternization either before or after said esterification step.

10. ~~The~~ A process according to claim 9, characterized in that wherein a trialkylamine is reacted with the unsaturated epoxide.

12. A fabric softening composition which comprises at least one Use of a compound or composition according to any one of claims 2 4-8 as a fabric softener.

13. The composition of Use according to claim 12 wherein the compound is used in which additionally comprises combination with a conventional at least one performance booster selected from the group consisting of cationic and non-ionic surfactants.

New Claim:

14. The composition of claim 8 which additionally comprises at least one performance booster selected from the group consisting of cationic and non-ionic surfactants.

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